



Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
September 14, 2023

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Counsel for Debtor

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

CASH CLOUD, INC.,
dba COIN CLOUD,

Debtor.

Case No. BK-S-23-10423-MKN
Chapter 11

**ORDER GRANTING TWELFTH OMNIBUS
MOTION FOR ENTRY OF ORDER
APPROVING REJECTION OF EXECUTORY
CONTRACTS AND UNEXPIRED LEASES
PURSUANT TO 11 U.S.C. § 365(a) AND
SETTING REJECTION DAMAGES CLAIM
DEADLINE**

Hearing Date: September 12, 2023
Hearing Time: 9:30 a.m.

1 The Court having reviewed and considered Debtor's motion [ECF 684] (the "Motion")¹ for
 2 an order approving the rejection of Contracts and/or Leases pursuant to 11 U.S.C. § 365(a); and
 3 upon consideration of the Ayala Declaration and arguments of counsel; and the Court having
 4 jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. § 1334;
 5 and consideration of the Motion and the relief requested therein being a core proceeding pursuant
 6 to 28 U.S.C. § 157(b); and venue being proper in this district pursuant to 28 U.S.C. §§ 1408
 7 and 1409; and due and proper notice of the Motion having been provided; and it appearing that no
 8 other or further notice need be provided; the Court having determined that the rejection of the
 9 Contracts and/or Leases is a sound exercise of the Debtor's business judgment and is in the best
 10 interests of Debtor, its creditors and all other parties in interest; and that the legal and factual bases
 11 set forth in the Motion establish just cause for the relief granted herein; and upon all the proceedings
 12 had before the Court and after due deliberation and sufficient cause appearing therefor, it is hereby,

13 **ORDERED** that the Motion is **GRANTED** with respect to the Contracts and/or Leases as
 14 set forth in **Exhibit 1**;² and it is further

15 **ORDERED** that the Debtor's rejection of the Contracts and/or Leases, attached hereto as
 16 **Exhibit 1**, pursuant to 11 U.S.C. § 365(a) is approved effective as of the date of the filing of the
 17 Motion; and it is further

18 **ORDERED** that all persons and entities listed on **Exhibit 1** that assert any claims against
 19 Debtor for damages arising from the rejection of their leases listed on **Exhibit 1** (a "Rejection
 20 Damages Claim") must file a Proof of Claim with the Clerk of the Bankruptcy Court for such
 21 Rejection Damages Claim **no later than thirty (30) days after entry of this Order** or shall be forever
 22 barred from asserting such Rejection Damages Claim; and it is further

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 24 ¹ Unless otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Motion.

25 2 With respect to Brookfield Landlords only, the hearing on the Motion was continued to September 13, 2023 at 9:30
 26 a.m. pursuant to the *Order Granting Fourth Stipulation With Brookfield Landlords To Continue Hearing On Multiple*
Omnibus Motions For Entry Of Order Approving Rejection Of Executory Contracts And Unexpired Leases Pursuant To
11 U.S.C. § 365(A) For Brookfield Landlords Only [ECF Nos. 675, 681, 684, 690, 693, 696, and 700] [ECF No. 1141]
 27 entered by the Court on August 29, 2023. Additionally, counsel for Brookfield Landlords withdrew their limited
 28 objection pursuant to the *Notice Of Withdrawal Of Limited Objection Of Brookfield Landlords To Debtor's Omnibus*
Motions For Entry Of Orders Approving Rejection Of Unexpired Leases [ECF No. 1203] filed on September 12, 2023.

1 **ORDERED** that this Court shall retain jurisdiction to hear and determine all matters arising
2 from the implementation or interpretation of this Order; and it is further

3 **ORDERED** that notice of the Motion as provided therein shall be deemed good and sufficient
4 notice of the Motion.

5 Prepared And Respectfully Submitted By:

6 **FOX ROTHSCHILD LLP**

7
8 By: /s/ Brett Axelrod _____
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15 *Counsel for Debtor*

16 **APPROVED/DISAPPROVED**

17 **MCDONALD CARANO LLP**

18 By: SIGNATURE WAIVED _____
19 RYAN J. WORKS, ESQ. (NSBN 9224)
20 AMANDA M. PERACH, ESQ. (NSBN 12399)
21 2300 West Sahara Avenue, Suite 1200
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23 and

24 **SEWARD & KISSEL LLP**

25 JOHN R. ASHMEAD, ESQ. (Admitted *Pro Hac Vice*)
26 ROBERT J. GAYDA, ESQ. (Admitted *Pro Hac Vice*)
27 CATHERINE V. LOTEMPIO, ESQ. (Admitted *Pro Hac Vice*)
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1 **CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021**

2 In accordance with Local Rule 9021, counsel submitting this document certifies as follows:

- 3 The Court has waived the requirement of approval in LR 9021(b)(1).
- 4 No party appeared at the hearing or filed an objection to the motion.
- 5 I have delivered a copy of this proposed order to all counsel who appeared at the
6 hearing, any unrepresented parties who appeared at the hearing, and each has
 approved or disapproved the order, or failed to respond, as indicated above.
- 7 I certify that this is a case under Chapter 7 or 13, that I have served a copy of this
8 order with the motion pursuant to LR 9014(g), and that no party has objected to the
 form or content of the order.

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EXHIBIT 12
CONTRACTS AND/OR LEASES TO BE REJECTED

4 Counterparty	5 Counterparty Address	6 Kiosk Location	7 Kiosk Location ID
5 GGP-Four Seasons, LP (Brookfield)	6 Four Seasons Town Centre 410 Four Seasons Town Centre Greensboro, NC 27427	7 410 Four Seasons Town Centre Greensboro, NC 27407	8 103823
7 GGP-Tucson Mall LLC (Brookfield)	8 Attn: Jeff Berger 4500 N Oracle Rd Tucson, AZ 85705	9 4500 N Oracle Rd Tucson, AZ 85705	10 103766
9 Grand Traverse Mall (Brookfield)	10 Attn: Paige Moreau 3200 South Airport Rd W Traverse City, MI 49684	11 3200 W South Airport Rd Traverse City, MI 49684	12 103830

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